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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA AND
STATE OF CALIFORNIA *ex rel.* GAIL
JOSEPH, M.D.

Case No. 2:21-cv-0554-KJM-AC

**STIPULATION EXTENDING
PLAINTIFF'S DEADLINE TO
RESPOND TO MOTION TO DISMISS
AND EXTENDING ALL OTHER
DEADLINES**

vs.

P. GILL OBSTETRICS & GYNECOLOGY
MEDICAL GROUP, INC, a California
Professional Corporation; PARAMPAL K.
GILL, M.D., an individual; JASBIR S. GILL,
M.D., an individual

Defendants.

This stipulation (“Stipulation”) is entered into by and among Relator GAIL JOSEPH, M.D. and Defendants P. GILL OBSTETRICS & GYNECOLOGY MEDICAL GROUP, INC.; PARAMPAL K. GILL, M.D.; JASBIR S. GILL, M.D. (jointly, “Defendants”) (collectively “Parties”), through their respective counsel.

Recitals

1. By entering into this Stipulation, neither Relator nor Defendants waive or concede any right, except as to the deadlines addressed herein.

1 2. The original date for Defendants to file a response to the Complaint was February
2, 2022.

3 3. The Parties agreed to an initial stipulation extending Defendants' time to respond
4 to March 3, 2022, pursuant to Local Rule 144.

5 4. On March 2, 2022, out of professional courtesy and in light of Defendants'
6 retention of new counsel, the Parties stipulated to extend Defendants' time to respond to the
7 Complaint to April 4, 2022, and to continue the Status (Pretrial Scheduling) Conference. On
8 March 14, 2022, the Court entered the order on the stipulation (ECF No. 16).

9 5. The Court's order (ECF No. 16) set Defendants' deadline to respond to the
10 Complaint on or before April 4, 2022, and the Status (Pretrial Scheduling) Conference for
11 May 5, 2022.

12 6. On March 17, 2022, the Parties stipulated (ECF No. 17) to a further Extension of
13 Time to Respond to Complaint.

15 7. The Court's order (ECF No. 18) extended the deadline to respond to Complaint
16 by 11 days to April 15, 2022.

17 8. On April 15, 2022 (ECF No. 20), Defendants filed their Motion to Dismiss and
18 set a Motion Hearing for May 27, 2022.

19 9. Pursuant to Local Rule 230(c), Relator has until April 29, 2022 to file an
20 opposition to Defendants' Motion to Dismiss.

21 10. On April 27, 2022, the Court's order (ECF No. 21) reset the Joint Status
22 Conference for May 27, 2022. Moreover, the Court reminded the Parties to submit their joint
23 status report no later than fourteen (14) days prior to the new date for the status conference.

24 11. The discovery cutoff date, last date for hearing motions, pretrial conference date,
25 and trial date have not yet been set, and, the Parties submit, would be best determined after the
26 Relator either amends her Complaint or opposes the Defendants' motion to dismiss and Court
27 decides that motion.

1 12. In good faith, the Parties have been meeting and conferring regarding the potential
2 for early resolution of this case. Pursuant to Federal Rule of Evidence 408, this has included
3 extensive discussion regarding the merits of the claims as well as the exchange of information.
4 The Parties have also been in contact with the U.S. Attorney's Office and the California
5 Department of Justice regarding these subjects. Defendants are still investigating the allegations
6 in the Complaint and are seeking the assistance of a consulting expert to understand the relevant
7 evidence. Given the complex nature of healthcare business and regulation, it will take time for
8 any expert to do her work.

9 13. Given the potential for an early resolution of this matter, responding to
10 Defendants' Motion to Dismiss and participating in the FRCP 26(f) conference and the joint
11 status conference may potentially result in unnecessary fees and costs. It would also not be in
12 accordance with principles of judicial economy.

14 14. A continuance of Relator's deadline to respond to Defendant's Motion to Dismiss
15 as well as a corresponding extension of the FRCP 26(f) conference and the joint status
16 conference will promote efficiency and judicial economy. It would allow Defendants' consulting
17 expert to complete work. It would also grant the Defendants sufficient time to assess disclosure
18 options and their possible effect on any potential early resolution. It would allow the Relator and
19 government authorities to at least begin to evaluate whatever the Defendants disclose and
20 suggest in light of the expert's work.

21 THEREFORE:

22 **IT IS STIPULATED:**

- 23 1. The May 27, 2022 hearing date for Defendant's Motion to Dismiss is vacated and
24 reset to August 5, 2022. The current deadline of April 29, 2022 for Relator to respond
25 to Defendant's Motion to Dismiss is extended and a response shall be filed
26 by or on July 8, 2022. Defendants' reply shall be filed by or on July 18, 2022.
- 27 2. The joint status conference, currently set for May 27, 2022 is extended and shall be
28 held on September 9, 2022.

- 1 3. The deadline for the Parties to engage in the FRCP 26(f) conference shall be extended
2 to August 19, 2022.
3 4. The deadline for the Parties to file a joint status conference report with the Court shall
4 be extended to on or before August 26, 2022.

5
6 Dated: April 29, 2022

STOEL RIVES LLP

7 By:/s/ Matthew Segal
8 MATTHEW D. SEGAL
9 NICHOLAS D. KARKAZIS
10 Attorneys for Defendants
11 P. Gill Obstetrics & Gynecology Medical
12 Group, Inc.; Parampal K. Gill, M.D.;
13 Jasbir S. Gill, M.D.

14 Dated: April 29, 2022

15 THE BRINEGAR LAW FIRM

16 By:/s/ Matthew Brinegar
17 MATTHEW BRINEGAR
18 Attorneys for Relator/Plaintiff
19 Gail Joseph, M.D.

ORDER

The court has reviewed the forgoing stipulation, and good cause appearing, hereby

ORDERS:

1. The May 27, 2022 hearing date for Defendant's Motion to Dismiss is vacated and reset to August 19, 2022 at 10:00 a.m. The current deadline of April 29, 2022 for Relator to respond to Defendant's Motion to Dismiss is extended and a response shall be filed by or on July 8, 2022. Defendants' reply shall be filed by or on July 18, 2022.
 2. The joint status conference, currently set for May 27, 2022 is extended and shall be held on September 8, 2022.
 3. The deadline for the parties to engage in the FRCP 26(f) conference shall be extended to August 18, 2022.
 4. The deadline for the Parties to file a joint status conference report with the court shall be extended to on or before August 25, 2022.

DATED: May 4, 2022.

CHIEF UNITED STATES DISTRICT JUDGE

1
2 **CERTIFICATE OF SERVICE**
3

4 I hereby certify that on the 29th day of April, 2022, I caused to be electronically filed and
5 served the foregoing with the Clerk of the Court using the CM/ECF system, which will send
6 notification of such filing to the following:
7

8 Matthew Segal, Esq.
9 STOEL RIVES LLP
10 500 Capitol Mall, Suite 1600
11 Sacramento, CA 95814
12 matthew.segal@stoel.com

13 Dated: April 29, 2022

14 THE BRINEGAR LAW FIRM

15 By:/s/ Matthew Brinegar
16 MATTHEW BRINEGAR
17 Attorneys for Relator/Plaintiff
18 Gail Joseph, M.D.